

NEWS RELEASE

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FOR IMMEDIATE RELEASE

NASA GODDARD AND CLASS AGREE TO SETTLE RACE DISCRIMINATION SUIT

Washington, DC, May 6, 2002 - NASA's Goddard Space Flight Center (GSFC) and the class in a lawsuit filed on behalf of 120 African Americans who served as non-managerial, non-supervisory scientists and engineers at the GS-13 and GS-14 levels between April 1991 and February 25, 2002, have agreed to settle their suit. The settlement provides for a \$3.75 million fund in economic relief to class members, promotions for both class members and non-class members following merit-based reviews, and evaluation and redesign of GSFC's personnel management system and alternative dispute resolution procedures by independent experts.

The lawsuit, filed with the Equal Employment Opportunity Commission in April 1993, contended that the Goddard Space Flight Center discriminated against African American non-managerial, non-supervisory scientists and engineers who were eligible for but did not receive promotions to the GS-14 and GS-15 levels. After litigating class certification issues, the parties voluntarily entered into mediation in February 2001 in an effort to redress concerns raised by the class and to avoid additional litigation costs. Under the terms of the settlement agreement, GSFC admits no wrongdoing. The parties reached settlement with the assistance of private mediator Linda Singer of ADR Associates.

Goddard Space Flight Center Director A. V. Diaz said, "This settlement establishes a new beginning for the entire GSFC community. It offers the opportunity to enhance our efforts to put in place policies and procedures

that will ensure all employees are treated fairly and given equal access to promotion and development opportunities."

"I'm satisfied with this settlement and I want to thank the individuals who raised these issues. Their efforts focused management's attention on these matters. We are committed to the initiatives outlined in this settlement and I believe we can move forward," Diaz said.

Maia Caplan of Kator Parks & Weiser, counsel for the class, is likewise optimistic about the settlement. According to Caplan, "The settlement provides extensive monetary compensation to class members for injuries sustained in the past, and also prospectively for changes in Goddard's personnel management system that will better ensure equal opportunity for employees of all races." If finally approved, Caplan's firm, Kator Parks & Weiser, PLLC, will be monitoring GSFC's compliance with the settlement.

The settlement appoints an independent expert to recommend improvements to GSFC's performance management system with respect to accretion and career ladder promotions, awards, training and performance appraisals. Another independent expert will give a fresh look to GSFC's current alternative dispute resolution process for resolving informal EEO complaints.

Other important elements of the settlement include establishing new manager and supervisor training programs to foster employee development, EEO and diversity issues and providing management track training opportunities for scientists and engineers at GSFC.

The Settlement Agreement received initial approval on May 2, 2002 from Administrative Judge Linda A. Kincaid, of the EEOC Baltimore District Office. Because the proposed settlement involves a class, it must be finally approved after a fairness hearing is held to determine if the terms of the settlement are fair, adequate and reasonable to the class as a whole. The fairness hearing will be held on July 8, 2002. Class members or other persons interested in learning more about the settlement terms can access information on the web at www.katorparks.com. Alternatively, they may phone 1-866-385-5767.

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